

1 BILL NO. X-82-12-19

2 ANNEXATION ORDINANCE NO. X-01-82

3 AN ORDINANCE annexing certain territory
4 commonly known as the Engle Ridge Annexa-
5 tion Area to the City of Fort Wayne,
6 Indiana and including same in Councilmanic
7 District No. 4.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
9 FORT WAYNE, INDIANA:

10 SECTION 1. That the following described territory
11 be and the same is hereby annexed to, and made a part of, the
12 corporation of the City of Fort Wayne, Indiana, to-wit:

13 Part of the Southeast Quarter, Section 17, Town-
14 ship 30, Range 12 East, and part of the North-
15 east Quarter, Section 20, Township 30 North,
16 Range 12 East, to-wit:

17 Beginning at the intersection of the west right-
18 of-way line of Ardmore Avenue and the north right-
19 of-way line of the Norfolk & Western Railway
20 Company; thence north along the west right-of-
21 way line of Ardmore Avenue to the intersection of
22 the north right-of-way line of Engle Road;
23 thence west along the north right-of-way line of
24 Engle Road to the intersection of the west
25 line of the Southeast Quarter, Section 17, Town-
26 ship 30 North, Range 12 East; thence south along
27 the said west line and the west line of the
28 Northeast Quarter, Section 20, Township 30
29 North, Range 12 East to the intersection of the
30 north right-of-way of the Norfolk & Western Railway
31 Company; thence northeasterly along said north
32 line to the point of beginning; said area
contains 87.06 acres, more or less.

SECTION 2. That the City of Fort Wayne will furnish
the above described territory within a period of one (1) year from
the effective date of annexation, planned services of a non-capi-
tal nature, including police protection, fire protection and
street and road maintenance, in a manner which is equivalent in
standard and scope to those non-capital services provided to areas
within the City of Fort Wayne which have similar topography,
patterns of land utilization and population density to the said
described territory. The City of Fort Wayne will also provide

1 Page Two

2
3 services of a capital improvement nature, including street
4 construction, street lighting, sewer facilities, water facilities
5 and stormwater drainage facilities to the annexed territory
6 within three (3) years of the effective date of annexation, in
7 the same manner as such services are provided to areas already
8 in the City of Fort Wayne with similar topography, patterns of
9 land utilization and population density, and in a manner consistent
10 with federal, state and local laws, procedures and planning
11 criteria.

12 SECTION 3. That governmental and propriety services
13 will be provided to the above described territory in a manner
14 consistent with the written Fiscal Plan for the territory devel-
15 oped by the Department of Community Development and Planning.
16 Said Plan was examined by the Common Council of the City of Fort
17 Wayne and is approved and adopted by the Common Council by and
18 upon the passage of this Ordinance.

19 SECTION 4. That said described territory shall be
20 a part of City Councilmanic Political Ward No. 4 of the City of
21 Fort Wayne, Indiana, as described in Division I, Section 2-9
22 of Chapter 2 of the Municipal Code of the City of Fort Wayne,
23 Indiana of 1974, as amended.

24 SECTION 5. That this Ordinance shall be in full force
25 and effect from and after its passage, due legal publication, any
26 and all necessary approval by the Mayor, the required sixty (60)
27 days remonstrance period, and ~~either~~ on December 31, 1983, ~~or sixty~~ ^(Sixty)
28 ~~which ever is later~~, ~~which ever is later~~.
~~(60) days after final publication, whichever is later.~~

29 *Janet G. Bradbury*
30 _____
31 Councilmember

31 APPROVED AS TO FORM
32 AND LEGALITY

Bruce O. Boxberger
Bruce O. Boxberger, City Attorney

Read the first time in full and on motion by Bradbury, seconded by Estick, and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____.M., E.S.T.

DATE: 12-14-82

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by GiaQuinta, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCRUGGS</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 4-26-83.

Nadine Estick
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)

(APPROPRIATION) ORDINANCE (RESOLUTION) NO. X-01-83.

on the 26th day of April, 1983.

ATTEST:

(SEAL)

Nadine Estick
CHARLES W. WESTERMAN - CITY CLERK

Ray A. Bork
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of April, 1983, at the hour of 11:20 o'clock A.M., E.S.T.

Nadine Estick
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 28th day of April, 1983, at the hour of 11 o'clock A.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR. - MAYOR

BILL NO. X-82-12-19

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS REFERRED AN
ORDINANCE annexing certain territory commonly known as the Engle Ridge Annexation
Area to the City of Fort Wayne, Indiana and including same in Councilmanic District
No. 4

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE do PASS.

JANET G. BRADBURY, CHAIRMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

JAMES S. STIER

PAUL M. BURNS

DONALD J. SCHMIDT

Janet G. Bradbury
Samuel J. Talarico
J. Stier
Paul M. Burns
D. Schmidt

Concurred in 4-26-83

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Ordinance for Engle Ridge X-82-12-19

DEPARTMENT REQUESTING ORDINANCE Community Development & Planning

SYNOPSIS OF ORDINANCE Ordinance annexes said territory to the City of
Fort Wayne. The annexation area contains approximately 87 acres and is
bounded on the north and eastern sides by the City. The basis for
annexing this area is the provision of the state law that allows the
annexation of an area if it is at least one-eighth (1/8) contiguous to the
City and if it has at least one of the following three characteristics:
(1) the territory is zoned for commercial, business or industrial uses;
(2) has at least three persons per acres; and (3) is at least sixty per-
cent (60%) subdivided. This annexation is thirty-nine percent (39%) con-
tiguous, has land that is zoned for industrial use. In addition, the
(continued on attached sheet)
EFFECT OF PASSAGE Described territory will become part of the City.

In addition, annexation will expand the City's tax base and will allow
the City to kkep pace with urban growth.

EFFECT OF NON-PASSAGE The area will not become part of the City.

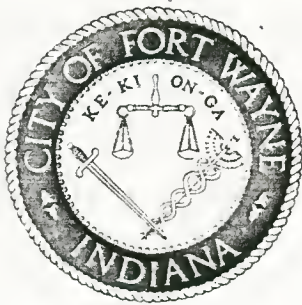
MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by
the Fiscal Plan, which will be prepared by the Department of Community
Development and Planning.

ASSIGNED TO COMMITTEE (J.N.) _____

DATE SUBMITTED: _____

SYNOPSIS OF ORDINANCE (continued):

annexation meets another state law provision in that it is at least twenty-five percent (25%) contiguous and is needed and can be used by the City for its growth and development in the reasonably near future.



The City of Fort Wayne

OFFICE OF THE CITY CLERK

Ms. Linda King
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. King:

Please give the attached full coverage on the dates of Thursday, May 5, 1983 and May 12, 1983, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. X-83-03-25
(as amended)
Annexation Ordinance X-02-83

Bill No. X-82-12-19
(as amended)
Annexation Ordinance No. X-01-83

Please send us 10 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Nadejda Eshcoff
Acting City Clerk

ENCL: 2

LEGAL NOTICE

Notice is hereby given that on the 26th day of April, 19 83, the
Common Council of the City of Fort Wayne, Indiana, in a Regular
Session did pass the following BILL NO. X-82-12-19 (AS AMENDED)
X-01-83 Annexation Ordinance to-wit:

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify
that the above and foregoing is a full, true and complete copy
of Annexation Ordinance No. X-01-83 passed by the
Common Council on the 26th day of April, 19 83, and
that said Ordinance was duly signed and approved by the Mayor on the
28th day of April, 19 83 and now remains on
file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne,
Indiana, this 28th day of April, 19 83.

SEAL

Nadejda Eshcoff

Acting CITY CLERK

AN ORDINANCE annexing certain territory commonly known as the Engle Ridge Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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Part of the Southeast Quarter, Section 17, Township 30, Range 12 East, and part of the Northeast Quarter, Section 20, Township 30 North, Range 12 East, to-wit:

Beginning at the intersection of the west right-of-way line of Ardmore Avenue and the north right-of-way line of the Norfolk & Western Railway Company; thence north along the west right-of-way line of Ardmore Avenue to the intersection of the north right-of-way line of Engle Road; thence west along the north right-of-way line of Engle Road to the intersection of the west line of the Southeast Quarter, Section 17, Township 30 North, Range 12 East; thence south along the said west line and the west line of the Northeast Quarter, Section 20, Township 30 North, Range 12 East to the intersection of the north right-of-way of the Norfolk & Western Railway Company; thence northeasterly along said north line to the point of beginning; said area contains 87.06 acres, more or less.

SECTION 2. That the City of Fort Wayne will furnish the above described territory within a period of one (1) year from the effective date of annexation, planned services of a non-capital nature, including police protection, fire protection and street and road maintenance, in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City of Fort Wayne which have similar topography, patterns of land utilization and population density to the said described territory. The City of Fort Wayne will also provide

1 Page Two

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3 services of a capital improvement nature, including street
4 construction, street lighting, sewer facilities, water facilities
5 and stormwater drainage facilities to the annexed territory
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7 the same manner as such services are provided to areas already
8 in the City of Fort Wayne with similar topography, patterns of
9 land utilization and population density, and in a manner consistent
10 with federal, state and local laws, procedures and planning
11 criteria.

12 SECTION 3. That governmental and propriety services
13 will be provided to the above described territory in a manner
14 consistent with the written Fiscal Plan for the territory devel-
15 oped by the Department of Community Development and Planning.
16 Said Plan was examined by the Common Council of the City of Fort
17 Wayne and is approved and adopted by the Common Council by and
18 upon the passage of this Ordinance.

19 SECTION 4. That said described territory shall be
20 a part of City Councilmanic Political Ward No. 4 of the City of
21 Fort Wayne, Indiana, as described in Division I, Section 2-9
22 of Chapter 2 of the Municipal Code of the City of Fort Wayne,
23 Indiana of 1974, as amended.

24 SECTION 5. That this Ordinance shall be in full force
25 and effect from and after its passage, due legal publication, any
26 and all necessary approval by the Mayor, the required sixty (60)
27 days remonstrance period, and ~~either~~ on December 31, 1983, ~~or sixty~~
(whichever is later).
28 ~~(60) days after final publication, whichever is later.~~

29
30 _____
Councilmember

31 APPROVED AS TO FORM
AND LEGALITY

32 
Bruce O. Boxberger, City Attorney

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines in which the body of the advertisement is set) - number of equivalent lines

LEGAL NOTICE

Notice is hereby given that on the 26 day of April, 1983, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-82-12-19 (as amended) X-01-83 Annexation Ordinance to-wit:

Bill No. X-82-12-19 (as amended) . Annexation Ordinance No. X-01-83. AN ORDINANCE annexing certain territory commonly known as the Engle Ridge Annexation Area to the City of Fort Wayne, Indiana and including same in Councilmenic District No. 4.

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SECTION 3. That governmental and proprietary services will be provided to the above described territory in a manner according to the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council of the City of Fort Wayne and is approved and adopted by the Common Council by and upon the passage of this Ordinance.

SECTION 4. That said described territory shall be a part of City Councilmenic Political Ward No. 4 of the City of Fort Wayne, Indiana, as described in Division I, Section 2-9 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended.

SECTION 5. That this Ordinance shall be in full force and effect from and after its passage, due legal publication, any and all necessary approval by the Mayor, and sixty (60) days after final publication and on December 31, 1983, whichever is later.

Janet G. Bredbury
Councilmember

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-83 passed by the Common Council on the 26 day of April, 1983, and that said Ordinance was duly signed and approved by the Mayor on the 28 day of April, 1983 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28 day of April, 1983.

Nedejda Eshcoff
Acting City Clerk
5/5-12

1 lines

125

2 lines

2

lines

128

ber of lines in notice

1 columns wide equals 128 equivalent lines at .323¢

41.34

notices containing rule or tabular work (50 per cent of above amount)

8 extra

4.00

ts of publication (50 cents for each proof in excess of two)

45.34

OUNT OF CLAIM.

mn 9.6 picas

Size of type 6 point

2

Size of quad upon which type is cast 6

ities of Ch. 89., Acts 1967.

count is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

Title.....CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....Drusilla Roose.....who, being duly sworn, says that she is.....CLERK.....of the

JOURNAL-GAZETTE

DAILY

newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for.....two times.....the dates of publication being as follows: 5/5 - 5/12/83

Drusilla Roose

Subscribed and sworn to me before this 12 th day of May 19 83

Ann M. Jenkins

Notary Public

My commission expires November 29, 1985

Fort Wayne Common Council

To NEWS-SENTINEL Dr.

(Governmental Unit)

Allen

County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

LEGAL NOTICE

Notice is hereby given that on the 26 day of April, 1983, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. X-82-12-19 (as amended) X-01-83 Annexation Ordinance to-wit:

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SECTION 5. That this Ordinance shall be in full force end effect from end after its passage, due legal publication, eny and all necessary approval by the Meyor, and sixty (60) days after final publication end on December 31, 1983, whichever is later.

Jenet G. Bredbury
Councilmember

I, The Clerk of the City of Fort Wayne, Indiana do hereby certify that the above end foregoing is a full, true end complete copy of Annexation Ordinance No. X-01-83 passed by the Common Council on the 26 day of April, 1983, end that said Ordinance was duly signed end approved by the Meyor on the 28 dey of April, 1983 and now remains on file end on record in my office.

WITNESS my hend, end the official seal of the City of Fort Wayne, Indiana, this 28 dey of April, 1983.

Nedejde Eshcoff
Acting City Clerk
5/5-12

of lines in notice

1

125

2

128

1 columns wide equals 128 equivalent lines at .323¢ \$ 41.34

8 extra 4.00

45.34

Amount of claim

Size of type 6 point

Size of quad upon which type is cast 6

Amount is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Drusilla Roose

CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 5/5 - 5/12/83

Subscribed and sworn to me before this 12 th day of May 19 83

Ann M. Jenkins
Notary Public
My comission expires November 29, 1985

PUBLISHER'S CLAIM

LINE COUNT		
Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) – number of equivalent lines	
		1
Head	number of lines	125
Body	number of lines	2
Tail	number of lines	128
Total number of lines in notice		

COMPUTATION OF CHARGES

128	lines,	1	columns wide equals	128	equivalent lines at	.323¢	\$ 41.34
							cents per line
Additional charge for notices containing rule or tabular work (50 per cent of above amount)							
Charge for extra proofs of publication (50 cents for each proof in excess of two) 8 extra							4.00
TOTAL AMOUNT OF CLAIM.							\$ 45.34

DATA FOR COMPUTING COST

Width of single column 9.6 picas	Size of type.....6.....point
Number of insertions.....2.....	Size of quad upon which type is cast.....6.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date.....May 12, 1983.....Title.....CLERK.....

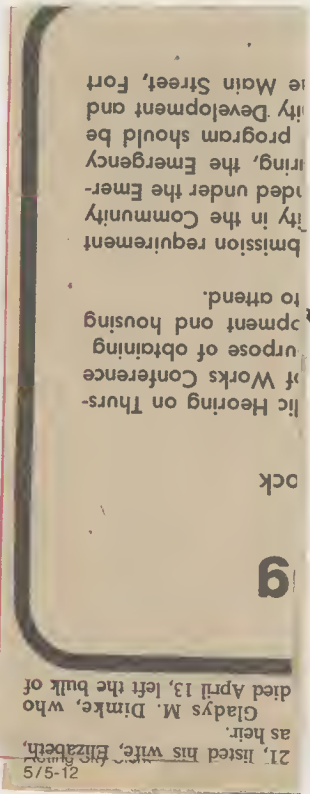
Form 904

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:
Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 5/5 - 5/12/83

Drusilla Roose

Subscribed and sworn to me before this 12 th day of May 19 83
Ann M. Beckins
Notary Public
My commission expires November 29., 1985



Fort Wayne Common Council
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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Body	number of lines	125
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Total number of lines in notice		128

COMPUTATION OF CHARGES

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	cents per line						
Additional charge for notices containing rule or tabular work (50 per cent of above amount)							
Charge for extra proofs of publication (50 cents for each proof in excess of two)						8 extra	4.00
TOTAL AMOUNT OF CLAIM							\$ 45.34

DATA FOR COMPUTING COST

Width of single column 9.6 picas Size of type 6 point
Number of insertions 2 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Drusilla Roose

Date May 12, 19 83

Title CLERK

Form 903

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned Drusilla Roose who, being duly sworn, says that she is CLERK

NEWS-SENTINEL
DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

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